

Posted: Friday, January 06, 2012

# NOTICE AND CALL OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL

The Trinidad City Council will hold its first regular monthly meeting on WEDNESDAY, JANUARY 11, 2012 at 7:00 PM

in the Town Hall at 409 Trinity Street

#### GLOSED SESSION BEGINS AT 5100 PM

I. II. III.	CALL TO ORDER/ROLL CALL PLEDGE OF ALLEGIANCE ADJOURN TO CLOSED SESSION  1. Personnel Issue: Section 54957(b), City Manager - 5:00pm  2. Government Code section 54956.9(b)(3): Pending Litigation - 6:00pm
IV. V. VI. VII. VIII. IX.	REPORT FROM CLOSED SESSION APPROVAL OF AGENDA APPROVAL OF MINUTES - December 14, 2011 cc COUNCIL MEMBER REPORTS, INCLUDING COMMITTEE ASSIGNMENTS ORAL STAFF REPORTS - Specific Department Reports, Planning Commission ITEMS FROM THE FLOOR (Three (3) minute limit per Speaker unless Council approves request for extended time.)
<b>X.</b> 1. 2.	CONSENT AGENDA Staff Activities Report through December 2011 Financial Status Reports for November 2011
Χ.	DISCUSSION/ACTION AGENDA ITEMS

- 1.
- Discussion/Decision regarding contract documents related to Gateway Project.
- Consider Installation of Communication Facilities on Town Hall. 2.
- XI. COUNCIL, STAFF, or PUBLIC REQUESTS FOR FUTURE AGENDA ITEMS
- XII. **ADJOURNMENT**

<u>APPR</u>	OVAL	OF MINU	TES FOR:

**DECEMBER 14, 2011CC:** 

Supporting Documentation follows with: 7 PAGES

# MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL WEDNESDAY, DECEMBER 14, 2011

#### I. CALL TO ORDER/ROLL CALL

- Mayor Bhardwaj called the meeting to order at 7:00PM. Council members in attendance: Morgan, Miller, Bhardwaj, Davies, Fulkerson.
- City Staff in attendance: City Clerk Gabriel Adams, City Manager Karen Suiker, TPW Director Bryan Buckman, City Engineer Rebecca Crow and Josh Wolf.

#### II. PLEDGE OF ALLEGIANCE

#### III. ADJOURNMENT TO CLOSED SESSION

1. Government Code section 54956.9(b)(3): Pending Litigation

#### IV. RECONVENE TO OPEN SESSION

Mayor Bhardwaj announced that the Council authorized the City Attorney to pursue settlement discussion with Pennisi & Ferrett for costs incurred by tree cutting incident below their property on Wagner Street.

#### V. APPROVAL OF AGENDA

Motion (Miller/Davies) to approve the agenda as written. Passed 5-0.

# VI. APPROVAL OF MINUTES - October 12, 2011 cc & November 09, 2011 cc

Motion (Fulkerson/Miller) to approve the 10/12/11 cc minutes as written. Passed 4-0-1. Davies absent. Motion (Fulkerson/Miller) to approve the 11/09/11 cc minutes as written. Passed 4-0-1. Morgan absent.

#### VII. COMMISSIONERS REPORTS

Miller: Nothing to report

Fulkerson: HTA: Commented on the 101 Safety Corridor project decision process at HTA meeting. Also

announced that HTA hired Greg Pratt as Executive Director.

RREDC: May be additional flight service coming to Eureka/Arcata Airport in the near future.

Bhardwai: HCAOG: Commented on the safety corridor meeting and decision process.

Davies: Nothing to report.

Morgan: Met With HCCVB Director Tony Smithers regarding Tourist Improvement District. Also gave brief

report egarding Office of Emergency Services updates.

#### VIII. STAFF REPORTS

Karen Suiker - City Manager

Summarized staff report included in the Council meeting packet.

#### Richard Johnson - Planning Commission Chair

Library building project was approved at the November meeting. Planning staff is updating ADU and VDU ordinances as LCP amendments. Next meeting scheduled for January 09, 2012 instead of the regular 3<sup>rd</sup> Wednesday.

#### IX. ITEMS FROM THE FLOOR

Mareva Russo - Trinidad

Asked to have a letter read on her behalf regarding agenda item 3 because she could not be here for the discussion.

#### X. CONSENT AGENDA

- 1. <u>Staff Activities Report through November 2011</u>
- 2. Financial Status Reports for October 2011
- 3. <u>Authorize up to \$2,000 for City Planner to complete application to the Coastal Commission for processing the Local Coastal Plan amendment for review and approval of the Accessory Dwelling Unit and Vacation Dwelling Unit Ordinance.</u>
- 4. <u>Authorize City Manager to sign "Green Diamond CA Timberlands Master Land Use Permit" for the Luffenholtz Creek Sediment Reduction Project.</u>
- 5. Award of Proposition 1B Projects to GRS (formerly Miller Farms)
- 6. Agreement with Humboldt County Sheriff's Office for Animal Control Services.
- 7. Agreement between the City of Trinidad and Winzler & Kelly for environmental, Engineering, and Construction Engineering Services for the Azalea & Pacific Street State Transportation Improvement Program (STIP) Project
- 8. <u>Authorize the Mayor to Sign the Memorandum of Understandings for the North Coast Integrated Regional Water</u>
  Management Plan.
  - Item 7 pulled for discussion. Approved by the Council unanimously as Item 5 on agenda.
  - Motion (Fulkerson/Miller) to approve the consent agenda as amended Passed unanimously.

#### XI. AGENDA ITEMS

1. Presentation/Discussion/Decision regarding Trinidad Gateway Project Design

City Manager Karen Suiker explained that the proposed Gateway Project includes pedestrian and streetscape improvements on Main Street and Trinity Street between the Fighway 101 interchange and the Trinidad Elementary School. The proposed improvements include new ADA compliant sidewalks, crosswalks, curb ramps and driveway aprons, sidewalk bulb outs to enhance pedestrian visibility, landscaping and artistic enhancement elements. Replacement of the street light that was previously removed from the corner of Scenic and Main as part of the utility undergrounding project is also included.

This project has been in the works in some fashion since 2002, with substantial committee discussion and deliberation, planning and design efforts, working with property owners for necessary encroachments, dealing with legal and right of way issues and easements and utility providers for facility relocation, and we are finally ready to proceed to construction. The Council has approved an allocation of proposition 1B funds as the local match for this project, and those funds must be expended by June 30, 2012. Our Engineer has put together an ambitious schedule to assure construction can start in early May in order to spend the time-restricted Proposition 1B funds before the June 30 deadline.

The project funding includes \$45,000 for landscaping/artistic enhancement that has yet to be specifically defined, and at this late date it is not possible to so and still include in the bid package. The plan is therefore to include a structural foundation in one or more of the bulb out areas, together with low maintenance landscaping, which would allow for possible sculpture addition(s) to be considered at a later date. This could be in the form of outright sculpture purchase(s) if funds were identified, or consideration of rotating art displays such as are in place with the City of Arcata plaza area and City of Eureka fishermen's wharf area, in the event outright purchase is not feasible in any event, the Gateway project itself should proceed so as not to lose available funding, with this component to be further defined as a separate and later project.

Funding currently available for construction is as follows: \$120,000 TE; \$335,475 HR3 and \$37,275 local match for a total \$492,750.

City Engineer Josh Wolf from GHD Engineering outlined the project details power point presentation. Multiple aerial views and maps of the proposed improvements were presented. Wolf emphasized that pedestrian safety and various beautification enhancements are the primary goals of this phase of the project.

#### Public comments included:

Terry Marlow - Trinidad

This has been a long process. A City Manager was hired to keep decisions from being made by the City without public discussion. The Gateway Advisory Committee was formed and made up of 7 members, including tribal representatives. The Committee unanimously decided to remove the light pole at the corner of Scenic

and Main Street because it was not needed. The Council should be reminded of this before spending money to replace it.

#### Jim Cuthbertson - Trinidad

The intersection is dark and dangerous. A light pole IS necessary. It may be an ADA requirement to illuminate the crosswalk and intersection for pedestrian safety.

#### **Brad Twoomey** – Trinidad

Handed out photos of the old light pole at the corner of Scenic and Main to remind the Council of the eyesore it was and how it dissected a clear panoramic view of Trinidad Head. He summarized the history of the Gateway project, its purpose, and intentions. He argued that blocking scenic views of Trinidad Head should be prohibited, and lighting for the intersection should be lowered and focused on the area that needs illuminating.

#### Cindy Lindgren - Trinidad Area Resident

Native American groups were required by the grant to be included in the process. I can't believe the light pole is back on the agenda. It should not be re-installed.

#### Patti Fleschner - Trinidad

I think the new light poles at the Museum are wonderful. The light is soft and beautiful. Redestrian safety is important, and should not be compromised. I appreciate the advise of our skilled professionals and recognize the hard work of the committee members.

#### Tom Odom - Trinidad

I agree with Jim and Patti. It's too dark and dangerous at the intersection, and a light needs to be installed.

#### Janine Volkmar - Trinidad

During the recent construction project under the overpass I parked at the park and ride and walked under the bridge at night. It is extremely dangerous crossing the intersection without lighting.

#### Richard Johnson - Trinidad

\$45,000 of Gateway funding was to be reserved for artistic enhancements and landscaping. The original intent of the project was to develop artistic enhancements at the entrance of town. Money should be allocated and available to use and promote an sculptures etc., not just concrete improvements.

#### Victoria Sackville - Trinidad

The lighting at the Museum is not soft. Trinidad is special and unique. People come here to get away from light pollution. We need to be thinking "less cookie cutter".

#### Kim Tays - Tanidad

If any lights are installed, they should be short and direct.

#### Mike Pinske - Trinidad

Requested that the Council prioritize public safety and illuminate the intersection.

#### Council comments included

Fulkerson: Isn't this supposed to be a beautification project? I'm surprised to see nothing but concrete and bulbouts. Correcting ADA sidewalks with extra funding is great - let's get it done. However, what happened to the artistic element of the project?

City Engineer Josh Wolf explained that the grant requires \$45,000 for the artistic element to be competitively bid and submitted no later than mid January. If the committee has a specific project in mind, bids should be submitted immediately. However, I don't believe the Gateway Committee ever settled on a specific project or recommended one to the Council for consideration

Miller: Lots of energy was put into removing the light pole. There may be ADA issues from not having the intersection illuminated that we're all unaware of. Is it reasonable to consider installing a lower light? It is very dangerous for pedestrians and vehicles to navigate that intersection in complete darkness. City Engineer Josh Wolf explained that a low, ballard light WILL NOT illuminate the intersection adequately.

Morgan: I have no objection to the proposed light installation. Seems reasonable.

**Bhardwaj**: Is it possible to move the light back to the east of the southbound on-ramp? I've received a significant amount of feedback and complaints about the darkness of the intersection. I support the project as proposed.

Motion (Miller/Morgan) to approve the project as proposed and authorize staff to proceed with the construction phase. Passed unanimously.

2. <u>Continued Discussion/Decision regarding Proposed Draft Water Rate Increase.</u>

City Manager Suiker explained that the Council has discussed various water rate scenarios over the last several meetings. At November's meeting, the Council directed staff to explore the possibility of rate structures that encourage conservation, while at the same time will not result in substantial rate increases on its larger customers, such as the school. To achieve this, it is possible for the Council to consider a uniform discount for volume used in excess of a specified amount (8,000 cubic feet). This would be in the form of a declining block rate for larger users, which could be defended as an economy of scale, in that at a callain point it does not cost as much to provide water.

The proposed Notice of Public Hearing is included in the packet, and the Council is requested to adopt the proposed change in monthly water rates to be incorporated in said Notice. A number of rate structures are also attached, each of which are estimated to generate an annual increase of \$50,000 per year.

- Uniform Block Rate with a \$40 monthly base rate, a 15% Out-of-City differential
- Consumption Block Rate with a \$40 monthly base rate, a 15% Out of-City differential
- Consumption/ Declining Block Rate with a \$40 monthly base rate, a \$6% Out-of-City differential

Based on use history, the uniform discount is expected to apply only to the school and the casino.

City Engineer Rebecca Crow echoed Suiker's comments, and summarized the need for the rates. She also referenced previous Council discussions that led staff to the conclusions proposed tonight.

#### Public comment included:

Jim Cuthbertson - Trinidad

Questions about protesting the rates and comments about how unfair it was that the public doesn't get a chance to have the rate increase question on a ballot.

City Engineer Rebecca Crow explained that Prop 218 specifies that each connection gets one opportunity to protest.

Don Allan - Westhaven Resident

Reminder that the proposed rates are still lower than Westhaven rates.

Council comment included

Morgan: I prefer the same lates for in-city and outside-city residents, but will be satisfied with a 15% differential.

Motion (Miller/Davies) to approve the following Uniform rate structure and authorize city staff to complete the Prop.218 notification process:

- In-City rates: \$40.00 base, \$3.90/100cuft

- Outside City rates: \$50.00 base; \$4.88/100cuft

Motion passed by the following vote: 4-Yes, 1-No (Morgan).

3. <u>Discussion/Decision regarding request from Trinidad Head Study Committee to expand Committee's Tasks to include vegetation management recommendations.</u>

City Manager Suiker explained that the tasks of the Trinidad Head Study Committee as approved by the Council and set forth in the solicitation for committee applicants were as follows:

- Determining who has regulatory authority over the Head;
- Determining who owns the Head and what are the boundaries; and
- Compiling the existing documents, treaties and agreements that regulate activities on the Head.

Additional tasks that may be considered by the Committee include:

- Identifying the top ten public concerns about the Head; and
- Determining the feasibility or organizing a trail steward program.

At their October 25, 2011 meeting, the Trinidad Head Study Committee approved submittal of a number of recommendations to the Trinidad Planning Commission regarding the issue of vegetation management on Trinidad Head. Since this goes beyond the boundaries of the Committee's original charges as directed by the Council, the Committee is now asking the Council to expand its tasks to include vegetation management recommendations.

While the document as already submitted by the Committee will be taken into consideration in defining maintenance practices, staff does not support officially adding such a task to the list of Committee responsibilities. Staff is confident that they will be able to define historical maintenance practices to the satisfaction of the staff at the Coastal Commission, and thereby obtain a Coastal Development Permit to continue historical, routine trail maintenance functions for the continued enjoyment of trail users. It should once again be emphasized that there is no intent to widen any road or trail areas or view sites beyond that which have historically been maintained. Although committee members are no doubt well-intentioned and comments and/or suggestions from individual citizens are welcome on this or any other subject involving city functions, neither Council nor Committee involvement should be necessary to assist staff in defining historical, routine practices.

#### Public comment included:

Stan Binnie - Trinidad Head Advisory Committee member

Read a memo provided to the Clerk for the record. The letter summarized committee representation, and requested that vegetation management be added to the committee's assignment list.

#### Kim Tavs — Trinidad

Read statement from Mareva Russo as submitted. Also read a letter submitted on behalf of the Friends of Trinidad Head criticizing current maintenance practices and in support of adding recommendations to the list of committee assignments.

#### Patti Fleschner - Trinidada

Preserving views from vistas on Trinidad Head is important. It is incredibly frustrating for city staff members to be micro-managed by residents. We should encourage our skilled staff and stop complaining.

Jim Cuthbertson – Trinidad

Trinidad Head has been maintained beautifully for over 30 years. This is the first time anyone has whined and complained. Why now? Let the City workers do their job.

#### Tom Odom - Trinidad

Would like to see Miller helpsing a resolution. A few residents shouldn't be telling City workers what to do.

#### Larraine Cook - Trinidad

I support the recommendations made by the committee and believe we can work together and find a resolution to maintaining Trinidad Head that we all can live with. Since the mowing stopped, I've found a number of rare plants that I hadn't discovered before.

#### Mike Pinske - Trinidad

I appreciate the recommendations. However, the committee should not be actively involved or given maintenance authority in the Spring. Let Public Works do their job. There's also no need to push this to the Coastal Commission either.

#### Victoria Sackville - Trinidad

Solutions, not battles, please. We can't use history as a defense all the time.

#### Council comments included:

Miller: Submitted a list recognizing the work, goals, and recommendations made by the Trinidad Head Advisory Committee, and proposed acting as a mediator between Staff and the committee members to help find a solution to maintenance practices on the Head. Recommendations will be submitted to the Planning Commission for consideration prior to the upcoming meeting.

Julie: TPW are our ambassadors. They are in the field, interacting with residents and often the first people to hear criticism. It's a tough job. They should be thanked. I was expecting the committee to make recommendations, and think that new guidelines will make TPW's job easier.

Davies: We need to talk this out. The road work made this a much bigger issue than it ever should have become. These groups now want to control the Head based on this one incident - aknee-jerk reaction. There's no need to have the Coastal Commission babysit our work, and our city. Some recommendations may be acted upon, and others may not.

Morgan: I was concerned that this committee was turning into the Friends of Trinidad Head group. I'm sure staff will take this into account. I don't support giving the committee new powers and authority. I appreciate Miller's attempt to bridge the gap.

**Bhardwaj**: I originally proposed this committee to collect data and sort through regulations. Those the committee goes back and focuses on the task they were given, and not expand their interests. The recommendations are good, but I don't want to put too many regulations and assignments on our staff. Staff should look at recommendations and determine which ones are feasible NOW, and include them in the upcoming permit hearing with the Planning Commission.

Motion (Fulkerson/Morgan) to appoint Councilmember Mill

- Act as liaison between City staff and the Trinidad Head Advisory Committee Chairman,
  To review management recommendations proposed by THAC and submitted to the City for consideration,
  Develop an agreement between staff and THAC as to what recommendations can be implemented,
  Format the agreed upon implementation into recommendations to be forwarded to Planning Commission for consideration at the upcoming Trinical field Maintenance Permit hearing.

Passed unanimously.

#### 4. Discussion/Decision regarding proposal to purchase and finance 490 Trinidad Street property known as the Trinidad Art Gallery.

Councilmember Morgan explained that the City has an opportunity to purchase 490 Trinity Street from the Trinidad Coastal Land Trust. With this purchase, the City would preserve and protect one of the 5 oldest homes in our community. With the help of the Trinidad Museum Society and volunteers, the Trinidad Art Gallery would continue to operate as the local Arts hub it has become. Ned Simmons bought this house and has been running Trinidad Art here for over twenty years. In addition to being a focal point for showing selling, and promoting local artists the gallery has served the community as a tourism attraction, and as a meeting place for various community organizations.

Ned has left the property to the Trinidad Coastal Land Trust, and there are financial encumbrances of about \$150K. Working with the Land Trust, the City would purchase the property for the encumbrance price, with the Land Trust holding an equity stake. The City would maintain the property and the Trinidad Museum Society might assist with managing Trinidad Art shows and gallery operations

#### Public comment included:

#### Don Allan - Land Trust

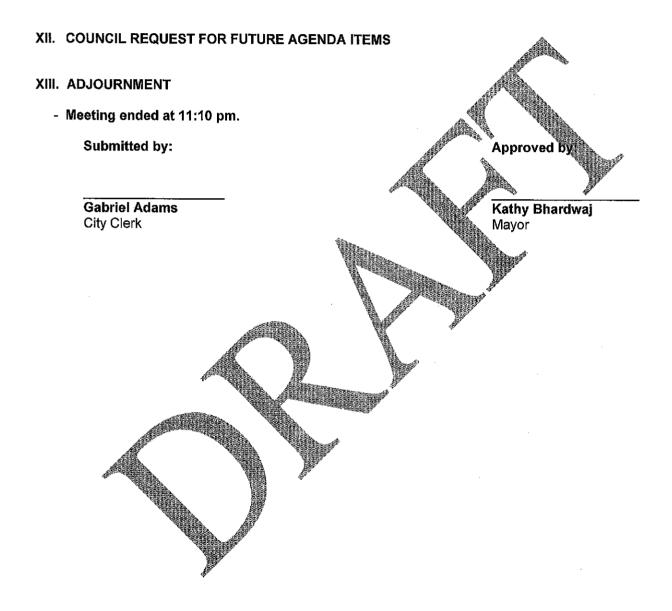
Ned left with a sizable reverse mortgage and unknown estate debts. The goal is to honor Ned's wishes but we understand the reality as well. The Land Trust will have more information soon as to what is needed, if anything, from the City.

#### Council comment included:

Fulkerson: I don't want to see this project overshadow the library fundraising effort. The Land Trust needs to decide what to do. The building needs to be saved, but it may not be a viable City project though. **Davies** agreed.

Morgan: Volunteered to be on the Land Trust's info gathering committee and report back to the Council.

By consensus, the Council appointed Mike Morgan to assist with Land Trust discussions on progress with the estate and report back to the Council as needed.





1.

# **CONSENT AGENDA ITEM 1**

# SUPPORTING DOCUMENTATION FOLLOWS WITH: 7 PAGES

Staff Activities Report through December 2011

CITY OF TRINIDAD

P.O. Box 390 409 Trinity Street Trinidad, CA 95570 (707) 677-0223 Kathy Bhardwaj, Mayor Karen Suiker, City Manager



#### STAFF ACTIVITIES REPORT

Through December 2011

A Staff Activities Report is provided to the City Council on a monthly basis, with additions to the previous report indicated in **bold type face**. Old information will be left on this report for a period of time and then removed or updated.

## City Administration:

- 1. Town Hall Rental. The town hall rates and application procedure have now been updated and staff is working on development of the event host program for events where alcohol is served and/or for events for over 100 attendees. A proposed job description is anticipated to be presented at the February Council meeting. This will be followed by recruitment and interview of potential applicants. We are hoping for a pool of qualified candidates to be assured of coverage for weekend and evening events.
- 2. On-Site Waste Water Treatment (OWTS) Ordinance. A public education proposal from Streamline Planning to implement this ordinance was approved by the Council at its August meeting. Streamline is working on putting together public education materials to be mailed out to property owners. On a related issue there are new proposed regulations available for public review and comment pertaining to new systems, failing systems and systems within 2,000 feet of a nutrient or pathogen impaired water body (Trinidad State Beach) that may impact the city's program. Planning is reviewing those regulations and a summary will be provided at some point in the future.
- 3. <u>Library.</u> The Planning Commission reviewed and approved the design and coastal development permit at their meeting of December 8. The Library's contractor has made application for a building permit and the plans have been submitted to the City's plan checking firm.
- 4. Water Rates. Notices on the proposed water rates have been mailed to all property owners and water customers, and the public hearing has been set for February 8 at 7:00 p.m.
- 5. <u>Business License Renewals</u>. Business license applications for 2011-12 were mailed the beginning of July, and a second notice was mailed 9/20/2011. There are 33 businesses that did not respond to either notice, some of which may no longer be in business in the City. Staff has sent a third and final notice to these 33 businesses,

after which additional measures may be proposed to assure consistent application of the City's Ordinance.

- 7. <u>Annual Audit</u>. The annual audit was completed in December, and the report will be submitted to the Council as soon as it is available.
- 8. <u>Town Hall Sound System</u>. A new microphone will be tested during this council meeting. If this produces a favorable result, the Council may be asked to consider a budget appropriation for replacement of all eight (8) microphones at a subsequent meeting.

#### PLANNING ISSUES

- 1. General Plan. The Planning Commission continues to work on the Circulation Element, which is one of the more complex of the seven state required elements, and the fourth reviewed by the Planning Commission so far. The Circulation Element not only includes transportation and streets, but also public services and energy use. General Plan work was put on hold for a few months due to other planning issues and permits; however, the Circulation Element is near completion and should come before the Council in the next few months.
- 2. Accessory Dwelling Unit (ADU) Code. This Ordinance was adopted by the City Council in August, 2010. Funding for the Planner to submit a Local Coastal Plan amendment was approved by the Council at the December meeting.
- 3. <u>Vacation Units Regulations</u>. The second reading of the Vacation Dwelling Unit Ordinance was presented to the Council in August, 2011. Funding for the Planner to submit a Local Coastal Plan amendment was approved by the Council at the December meeting.
- 4. Moss Subdivision. At a special meeting held November 10, 2011, the Council directed staff to appeal the decision by the Humboldt County Planning Commission to approve the Moss Subdivision on Fox Farm Road in Westhaven. A timely appeal was subsequently filed together with payment of the appeal fee of \$2,322.65. We've been told that the appeal to be heard by the Board of Supervisors is at least two months out.

# Status of Grant Funded Programs

1. Project Name: Gateway Project

Source of Funds: Combination of Transportation Enhancement Funds, Federal High Risk Rural Roads Funds and local Proposition 1B funds

Status: Replacement of six streets lights was expected to be completed in early January; however, PG&E has recently notified us that the streetlight arms are on backorder, with the installation now pushed back to March. The Gateway project design was presented to the Council in December, and the project advertisement, bidding and award is anticipated to take place in March, 2012, with actual construction to begin in May.

2. Project Name: Town Hall Heating System

Source of Funds: Energy Efficiency Block Grant (\$25,000)

Status: This project is currently underway and expected to be complete by mid January,

3. Project Name: Turbidity Monitoring (SCADA upgrade)

Source of Funding: CA State Proposition (\$113,628)

Status: Winzler & Kelly is acting as the project manager. Contracts were signed with Whitson Inc., the low bidder from Willow Creek, who has worked on the City's system for many years. The Notice to Proceed was issued the first week of January and all construction should be complete by the end of March 2012. Whitson's bid was slightly higher than estimated and they have suggested a project modification to improve system functionality. The Department of Public Health is increasing the project grant funds to cover these changes, and an amended funding agreement is anticipated by the end of January which will allow for full reimbursement of project costs.

4. Project Name: Water Plant Improvement Project

Source of Funding: Safe Drinking Water Revolving Fund (\$193,100)

Status: The City Engineers continue to finalize the reimbursement form with the Department of Public Health, and initial work on finalizing the system is underway. A presentation on the proposed improvements and next steps is planned for the City Council in February, to present project history status and allow for input on final improvement project.

5. Project Name: Luffenholtz Creek Sediment Reduction

Source of Funding: California Department of Public Health (up to \$1.875 million)

Status: The long term access and maintenance agreement between the City and Green Diamond "California Timberlands Master Land Use Permit", has been approved. The Department of Public Health is updating the project technical

support and once that is complete a letter of funding will be issued followed by the funding agreement.

6. Project Name: Trinidad Pier Reconstruction (ASBS Project)

Source of Funding: CA State Proposition 84 (\$2,500,000)

Background: This is a Trinidad Rancheria project, in partnership with the City of Trinidad. The City has a grant from State Water Resources Control Board that will fund \$2.5 million of the estimated total cost of \$10 million for reconstruction of the Pier.

Status: Construction of the pier is on schedule for completion anticipated in May 2012. As planned, hoists are being installed on the Pier in order to accommodate operations for crab season which starts in mid-January.

7. Project Name: Storm Water Management Improvement

Source of Funding: CA State Proposition 84 (\$2,500,000)

Project Background: In order to comply with the prohibition of discharge to the Trinidad Head Area of Special Biological Significance (ASBS), the city is implementing a Storm Water Management Improvement Project to capture, redirect and treat storm water within the city that currently discharges into the ASBS.

Phase I of the project includes a groundwater investigation, preliminary construction designs for both the upper and lower areas of town, stormwater system final design and engineering plans and construction of system improvements in the upper part of town. Phase II will include construction of the improvements in the lower part of town and reduction or elimination of the discharge to the ASBS.

A related issue is an upcoming requirement that the city be covered by a General Permit for Small Municipal Separate Storm Sewer Systems (MS4). The permit and discharge requirements are currently under consideration by the State Water Resources Control Board. Completion of the Storm Water Management Improvement Project will help meet the discharge requirements and possibly allow for a permit waiver.

Status: Winzler & Kelly is beginning a geological study on groundwater flows within the city. Drilling for the monitoring wells is anticipated to start the week of January 12<sup>th</sup>, and an information handout for residences near the drilling site and Town Hall will be sent out prior to the 12<sup>th</sup>. Work is anticipated to take approximately 2 weeks. Based on the results of the groundwater study, design and engineering plans for phase 1 will be completed in December 2012. The preliminary

design for phase II will be completed in September 2012. The project team is seeking funding for the phase II portion of the project.

8. Project Name: Trinidad to Humboldt Bay Coastal Watershed Program

Source of Funding: Department of Conservation Water Coordinator Grant (\$293,910)

Status. This is a three year program with the outcome anticipated to be improved coordination among watershed entities to avoid duplication of effort and to promote improved management of water resources. The Trinidad Bay Watershed Council met in early December to plan activities for the next year, including a Trinidad Bay Watershed Night to be held in late spring to provide information about the watershed from the hills to Trinidad Bay and to educate local residents and visitors about water quality and how individuals can prevent water pollution.

9. Project Name: Azalea & Pacific

Source of Funding: Proposition 1B (\$55,000)

Status: The Agreement with Winzler & Kelly for engineering services was approved by the Council at the December 2012 meeting, design work has commenced, and the topographic survey was completed in late December.

### **Public Works Department**

- 1. <u>Van Wycke Trail</u>. The trail has been posted as "closed", and the geotech report has been competed and received. That report recommends a soldier beam lagging wall from a stability and constructability standpoint, similar to the soldier pile wall presented in the feasibility report prepared by Winzler & Kelly (estimated cost of \$240,000). The report also mentions other potential fixes that could be more economical in the short term, although there's a high likelihood that additional repairs would be needed in the near future. A less expensive option with questionable long-term results would be in the neighborhood of \$100,000 or more. The experts advise that there is no solution that could be implemented for less than \$25,000 as the council had desired. At this time, staff is evaluating the water main that runs behind the existing wall and discussing the possibility of abandonment, and working with a deputy state fire marshal to consider the need to increase the capacity of the line on Edwards.
- 2. <u>Trinidad Head Maintenance</u>, The City continues to perform trail maintenance to within the limitations identified in the July 1, 2011 letter from the Coastal Commission (to no more than one foot on either side of the existing roads and to a total width of 4 feet along the trails), and has asked the Planning Commission to consider approval of a

Coastal Development Permit that would allow staff to maintain vegetation to the same historical standards as in the past several years. Staff continues to work on defining specific maintenance proposed to be performed on the individual road and trail segments as well as address the recommendations made by the Trinidad Head Study Committee. This matter has now been continued to the February meeting of the Planning Commission.

- 3. <u>Town Hall Maintenance</u>. Staff has made substantial progress on working through a list of maintenance/repair items, and can report successful completion of the following:
  - Roof leak repaired
  - Completed inspection for leaks around roof jacks
  - Cleaned gutters
  - Completed stage repairs, replacing molding and staining to match existing structure
  - Sanded and repainted southern facing window sills
  - Scrubbed windows and inner sills
  - Cleaned light fixtures
  - Completed quarterly inspection of septic system
- 4. Heavy Rain Response. During the period between December 28 and January 2, 2012, four inches of rain fell in the city's watershed after an exceptionally dry start to winter. This event significantly changed the source water quality making treatment and regulatory compliance difficult. Public Works' round the clock response to deal with the water quality changes and multiple equipment and emergent system failures assured the continuation of a safe drinking water supply and adequate quantity for fire protection purposes. This put the limited staff to the full test and they performed exceedingly well.
- 5. Proposition 1B Road Projects. The following projects approved by the Council and awarded under the Proposition 1B allocation have been completed:

Upper Edwards Street Overlay West Street Overlay Stagecoach Road overlay

6. Staff Certification. Ryan DeSmet received notification of successful completion of the test for water treatment operator grade II certification taken in November. In addition, Troy Ivie received notification of successful completion of water treatment operator grade III certification. The requirement for our treatment system is to have a minimum of one operator with a level grade III. With Troy's successful certification in addition to the certification level held by Brian Buckman, we now exceed that requirement.



# **CONSENT AGENDA ITEM 2**

# SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES

2. <u>Financial Status Reports for November 2011</u>

#### Statement of Revenues and Expenditures From 11/1/2011 Through 11/30/2011

		Current Month	Year to Date	Total Budget - Original	6 of Budge
	Revenue				
41010	PROPERTY TAX - SECURED	0.00	00,0	115,000,00	100.00)%
42000	SALES & USE TAX	8,839.92	24,539.92	180,000.00	(86.37)%
43000	TRANSIENT LODGING TAX	35,707.31	39,961,06	80,000.00	(50.05)%
47310	VEHICLE LICENSE COLLECTION	0.00	182.06	0.00	0.00%
47350	MOTOR VEHICLE LICENSE FEE GAP	0.00	704.32	0.00	0,00%
49080	MOTOR VEHICLE FINES	00,0	0.00	3,500.00	100,00)%
53010	COPY MACHINE FEE	8.00	25.50	100.00	(74.50)%
53020	INTEREST INCOME	989.69	11,471.33	15,000.00	(23.52)%
53060	DONATIONS	0.00	50.00	0.00	0.00%
53090	OTHER MISCELLANEOUS INCOME	6,486.17	28,895.16	2,500.00	.,055.81%
54020	PLANNER- APPLICATION PROCESSIN	2,620.27	5,770.27	8,500.00	(32.11)%
54040	ENGINEER-APPLICATION PROCESSIN	0.00	0.00	500,00	100.00)%
54050	BLDG.INSP-APPLICATION PROCESSI	3,024.51	27,407.03	10,000.00	174.07%
54100	ANIMAL LICENSE FEES	5.00	70.00	100.00	(30.00)%
54130	FARMERS MARKET BUSINESS LICENS	0.00	30,00	0.00	0.00%
54150	BUSINESS LICENSE TAX	435.00	7,821,00	7,500.00	4.28%
54300	ENCROACHMENT PERMIT FEES	0.00	50.00	400.00	(87.50)%
56400	RENT - VERIZON	3,361.36	8,403.40	19,620.00	(57.17)%
56500	RENT - HARBOR LEASE	0.00	5,000.00	5,000.00	0,00%
56600	RENT - OTHER TENNIS COURT	0.00	50.00	0.00	0,00%
56650	RENT - SUDDENLINK	982.44	1,977.66	4,200.00	(52.91)%
56700	RENT - TOWN HALL	625.00	5,990.00	8,500.00	(29.53)%
56800	RENT - MISC	0.00	0.00	500.00	100.00)%
59999	INTERDEPARTMENTAL TRANSFER INC	0.00	0.00	5,000.00	100.00)%
	Total Revenue	63,084,67	168,398.71	465,920.00	(63.86)%

# Statement of Revenues and Expenditures

#### 201 - GFAdmin

From 11/1/2011 Through 11/30/2011

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
60900	HONORARIUMS	250.00	1,250.00	3,000.00	58.33%
61000	EMPLOYEE GROSS WAGE	8,737.43	32,198.85	72,615.00	55.66%
61250	OVERTIME	0.00	0.00	1,500.00	100.00%
61470	FRINGE BENEFITS	69,24	253.88	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	8,746.00	100.00%
65100	DEFERRED RETIREMENT	314.19	1,145.97	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	392.13	1,839,00	6,384.00	71.19%
65300	WORKMEN'S COMP INSURANCE	0.00	4,485.68	0.00	0.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	115.50	381.50	1,200.00	68.21%
65600	PAYROLL TAX	696,46	2,565.51	0.00	0.00%
68090	CRIME BOND	0,00	700.00	0.00	0.00%
68100	FIDELITY BOND	0.00	0.00	770.00	100.00%
68200	INSURANCE - LIABILITY	0.00	5,210.70	10,908.00	52.23%
68300	PROPERTY & CASUALTY	0.00	3,747.60	4,387.00	14.57%
71100	ATTORNEY-MEETINGS	0.00	676.50	15,000.00	95.49%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	2,005.30	8,000.00	74.93%
71130	ATTORNEY-LITIGATION	0.00	2,464.00	10,000.00	75.36%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	46.50	7,000.00	99.34%
71220	CITY ENG-APPLICATION PROCESS	00.0	0.00	2,000.00	100.00%
71300	CITY PLANNER-MEETINGS	390.00	1,863.00	4,200.00	55.64%
71310	CITY PLANNER-ADMIN. TASKS	949,40	6,485.45	7,000.00	7.35%
71320	CITY PLANNER-APPL. PROCESS	2,184.00	4,665.00	7,000.00	33.36%
71340	CITY PLANNER - SPECIAL PROJECT	378.00	1,902.00	20,000.00	90.49%
71400	BLDG, INSPECTOR-MEETINGS	860.00	860.00	0.00	0.00%
71410	BLDG INSPECTOR-ADMIN TASKS	0.00	4.69	0.00	0.00%
71420	BLDG INSPECTOR-PERMIT PROCESS	0.00	14,512.02	5,000.00	(190.24)%
71430	BLDG INSPECTOR-ENFORCEMENT	0.00	90.00	0.00	0.00%
71510	ACCOUNTANT-ADMIN TASKS	1,367.88	3,996,73	20,000.00	80.02%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0.00	11,913.00	100.00%
72000	CHAMBER OF COMMERCE	0.00	4,000.00	4,500.00	11.11%
75110	FINANCIAL ADVISOR/TECH SUPPORT	0.00	45.00	1,200.00	96.25%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	0.00	1,500.00	100.00%
75170	RENT	650.00	3,250.00	7,800.00	58.33%
75180	UTILITIES	216.75	1,572.83	4,000.00	60.68%
75190	DUES & MEMBERSHIP	0.00	235.08	1,000.00	76.49%
75200	MUNICIPAL/UPDATE EXPENSE	2,322.65	2,322.65	7,500.00	69.03%
75220	OFFICE SUPPLIES & EXPENSE	208.63	2,600.60	4,500.00	42.21%
752 <del>4</del> 0	BANK CHARGES	0.00	80.00	0,00	0.00%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	1,900.00	100.00%
76110	TELEPHONE	126.78	812.14	2,500.00	67.51%
76130	CABLE & INTERNET SERVICE	160,95	804.75	2,000.00	59.76%
76150	TRAVEL	0,00	0.00	1,500.00	100.00%
78160	<b>BUILDING REPAIRS &amp; MAINTENANCE</b>	502.13	1,501.94	3,500.00	57.09%
78190	MATERIALS, SUPPLIES & EQUIPMEN	36.98	982.59	5,000.00	80.35%
92200	UNREALIZED INVEST. GAINS/LOSSE	956.40	3,855.85	0,00	0.00%
	Total Expense	21,885.50	115,413.31	275,023.00	58.04%

## Statement of Revenues and Expenditures

#### 301 - Police

From 11/1/2011 Through 11/30/2011

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
61000	EMPLOYEE GROSS WAGE	2,164.08	8,164.36	19,585.00	58,31%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	2,359.00	100.00%
65300	WORKMEN'S COMP INSURANCE	0.00	603.62	0.00	0.00%
65600	PAYROLL TAX	165.82	625.56	0.00	0.00%
71510	ACCOUNTANT-ADMIN TASKS	1,172.49	3,425.79	0.00	0.00%
75170	RENT	650.00	3,250.00	7,800.00	58,33%
75180	UTILITIES	197.44	917.68	1,200,00	23.53%
75190	DUES & MEMBERSHIP	0.00	122.00	0.00	0.00%
75220	OFFICE SUPPLIES & EXPENSE	72.60	72,60	300.00	75.80%
75300	CONTRACTED SERVICES	0.00	0.00	82,745.00	100.00%
75350	ANIMAL CONTROL	113.00	565.00	1,396.00	59.53%
75990	MISCELLANEOUS EXPENSE	0.00	44.76	0.00	0.00%
76110	TELEPHONE	78.83	401,60	1,800.00	77.69%
78150	VEHICLE REPAIRS	0.00	882.45	0.00	0.00%
78210	Advertising Outreach & Project	0.00	61.50	0.00	0.00%
92100	UNREALIZED GAINS/LOSSES	0.00	(8,815.00)	0.00	0.00%
	Total Expense	4,614.26	10,321.92	117,185.00	91.19%

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# Statement of Revenues and Expenditures 401 - Fire

From 11/1/2011 Through 11/30/2011

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
60900	HONORARIUMS	150.00	750.00	1,800.00	58.33%
75180	UTILITIES	0.00	1,968.64	800.00	(146.08)%
75190	DUES & MEMBERSHIP	0.00	0.00	10.00	100.00%
75260	BACKGROUNDS / EDUCATION	0.00	0.00	1,000.00	100.00%
75300	CONTRACTED SERVICES	0.00	0.00	175.00	100.00%
76110	TELEPHONE	6.84	22,25	175.00	87.29%
76140	RADIO & DISPATCH	0.00	163,26	0.00	0.00%
78140	VEHICLE FUEL & OIL	0.00	0.00	750.00	100.00%
78150	VEHICLE REPAIRS	3,417.40	3,715.74	3,000.00	(23.86)%
78160	<b>BUILDING REPAIRS &amp; MAINTENANCE</b>	0.00	857.09	500.00	(71.42)%
78190	MATERIALS, SUPPLIES & EQUIPMEN	942,77	6,902.77	7,500,00	7.96%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0,00	1,500.00	100.00%
90000	Capital Reserves	0.00	0.00	50,000,00	100.00%
	Total Expense	4,517.01	14,379.75	67,210.00	78.60%

#### Statement of Revenues and Expenditures 501 - PW (Public Works) From 11/1/2011 Through 11/30/2011

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
61000	EMPLOYEE GROSS WAGE	4,546.6 <del>6</del>	16,591.50	39,180.00	57.65%
61250	OVERTIME	0.00	0.00	3,000.00	100.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	4,720,00	100.00%
65100	DEFERRED RETIREMENT	295.55	767.20	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	1,462.56	7,310.61	21,113.00	65.37%
65300	WORKMEN'S COMP INSURANCE	0.00	1,846.76	0.00	0.00%
65 <del>6</del> 00	PAYROLL TAX	370.95	1,326.68	0,00	0.00%
68200	INSURANCE - LIABILITY	0.00	473.70	992.00	52.25%
71210	CITY ENGINEER-ADMIN. TASKS	1,015.25	3,296.75	0.00	0.00%
71250	CITY ENGINEER - PROJECT FEES	0.00	4,596.25	2,500.00	(83.85)%
71510	ACCOUNTANT-ADMIN TASKS	0.00	0.00	1,100.00	100.00%
75180	UTILITIES	0.00	35.52	0,00	0.00%
75300	CONTRACTED SERVICES	0.00	0.00	1,500.00	100.00%
75370	UNIFORMS/PERSONAL EQUIP.	81.77	81.77	0.00	0.00%
78100	STREET MAINT/REPAIR/SANITATION	0.00	722.43	114,700.00	99,37%
78120	STREET LIGHTING	374.53	1,613.49	4,800.00	66.39%
78125	Street Lighting - Improvements	0.00	0.00	40,000.00	100.00%
78130	TRAIL MAINTENANCE	0.00	39.67	1,000.00	96.03%
78140	VEHICLE FUEL & OIL	407,29	1,840.70	3,000.00	38.64%
78150	VEHICLE REPAIRS	133.09	3,208.69	2,000.00	(60.43)%
78160	<b>BUILDING REPAIRS &amp; MAINTENANCE</b>	0.00	265.07	0.00	0.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	145.63	3,312.68	2,500.00	(32.51)%
	Total Expense	8,833.28	47,329.47	242,105.00	80.45%

## Statement of Revenues and Expenditures

#### 204 - IWM

#### From 11/1/2011 Through 11/30/2011

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	5,000.00	5,000.00	0.00%
47600	BLUE BAG SALES	384,00	1,567.00	3,500,00	(55.23)%
47650	RECYCLING REVENUE	3,896,25	14,840.38	32,000,00	(53.62)%
	Total Revenue	4,280.25	21,407.38	40,500.00	(47.14)%
	Expense				
61000	EMPLOYEE GROSS WAGE	1,536.89	5,605.65	13,265.00	57.74%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	1,598.00	100.00%
65100	DEFERRED RETIREMENT	149.89	441.81	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	417.95	2,089.20	6,461.00	67.66%
65300	WORKMEN'S COMP INSURANCE	0.00	591.62	0.00	0.00%
65600	PAYROLL TAX	129.03	462.58	0.00	0.00%
75120	WASTE RECYCLING PICKUP/DISPOSA	1,360.00	7,040.00	16,000,00	56.00%
75130	GARBAGE	0.00	556.99	0.00	0.00%
75140	BLUE BAG PURCHASES	0,00	1,590,00	3,500,00	54.57%
78100	STREET MAINT/REPAIR/SANITATION	949,99	1,837.54	7,000.00	73,75%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0,00	0.00	1,000,00	100,00%
85000	CAPITAL OUTLAY	0.00	4,719.45	4,800,00	1.68%
	Total Expense	4,543.75	24,934.84	53,624.00	53.50%
	Net Income	(263.50)	(3,527.46)	(13,124.00)	(73.12)%

# Statement of Revenues and Expenditures 601 - Water

#### From 11/1/2011 Through 11/30/2011

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
53020	INTEREST INCOME	0.00	0.00	20,000.00	(100.00)%
53090	OTHER MISCELLANEOUS INCOME	380.00	380.00	1,000.00	(62.00)%
57100	WATER SALES	17,941.31	93,952,54	221,000.00	(57.49)%
57300	NEW WATER HOOK UPS	0.00	0.00	9,000.00	(100.00)%
57500	WATER A/R PENALTIES	1,903.20	6,993.74	6,000.00	16.56%
	Total Revenue	20,224.51	101,326.28	257,000.00	(60.57)%
	Expense				
61000	EMPLOYEE GROSS WAGE	9,712.69	35,301.11	83,354.00	57.65%
61250	OVERTIME	0.00	0.00	5,000.00	100.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	10,040.00	100.00%
65100	DEFERRED RETIREMENT	946.04	2,905.91	0,00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	2,854,59	14,270.76	43,590.00	67.26%
65300	WORKMEN'S COMP INSURANCE	0.00	3,877.88	0,00	0,00%
65600	PAYROLL TAX	815.95	2,912.59	0,00	0.00%
68200	INSURANCE - LIABILITY	0.00	3,789.60	7,933.00	52.23%
68300	PROPERTY & CASUALTY	0.00	2,498.40	2,925.00	14.58%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	4,500.00	100.00%
71210	CITY ENGINEER-ADMIN, TASKS	0,00	0.00	43,620.00	100.00%
71230	ENGINEER-SPECIAL PROJECTS	1,715.50	13,974.00	14,848.00	5.89%
71510	ACCOUNTANT-ADMIN TASKS	1,367.88	3,996.73	9,000.00	55.59%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0,00	9,000.00	100.00%
75180	UTILITIES	1,229.07	5,027.07	14,000,00	64,09%
75190	DUES & MEMBERSHIP	0.00	236.68	900.00	73.70%
75220	OFFICE SUPPLIES & EXPENSE	148,40	971,40	2,000.00	51,43%
75230	INTEREST EXPENSE	0,00	641.28	1,935.00	66,86%
75240	BANK CHARGES	10.00	10.00	0.00	0.00%
75280	TRAINING / EDUCATION	0.00	315.00	0,00	0.00%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	250.00	100.00%
76110	TELEPHONE	56.79	330.46	1,500.00	77.97%
76130	CABLE & INTERNET SERVICE	49.00	245.00	588.00	58,33%
76160	LICENSES & FEES	468,61	355,01	2,200.00	83.86%
78140	VEHICLE FUEL & OIL	344,99	872.17	3,000.00	70,93%
78150	VEHICLE REPAIRS	0.00	1.39	1,500.00	99.91%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	265,07	2,000.00	86.75%
78170	SECURITY SYSTEM	69.00	251.00	276.00	9,06%
78190	MATERIALS, SUPPLIES & EQUIPMEN	708.26	4,247.28	5,000.00	15.05%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	280,94	500.00	43.81%
79100	WATER LAB FEES	0.00	1,415.00	5,500.00	74.27%
79120	WATER PLANT CHEMICALS	1,186.99	3,366.40	16,000.00	78.96%
79130	WATER LINE HOOK-UPS	0.00	0,00	4,000.00	100.00%
79150	WATER LINE REPAIR	720.00	720.00	20,000.00	96.40%
79160	WATER PLANT REPAIR	0.00	0.00	10,000.00	100.00%
	Total Expense	22,403.76	103,078.13	324,959.00	68.28%
	Net Income	(2,179.25)	(1,751.85)	(67,959.00)	(97.42)%

#### Statement of Revenues and Expenditures 701 - Cemetery From 11/1/2011 Through 11/30/2011

LIOH 11/1/2011	Inrough 11/30/2011

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
53020	INTEREST INCOME	0,00	0.00	3,000.00	(100.00)%
58100	CEMETERY PLOT SALES	1,570.00	3,500.00	9,000.00	(61.11)%
58150	Cemetery Plot Refunds	0,00	(2,820.00)	0.00	0.00%
	Total Revenue	1,570.00	680.00	12,000.00	(94.33)%
	Expense				
61000	EMPLOYEE GROSS WAGE	1,013.26	3,695,71	8,727.00	57.65%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0,00	1,051.00	100,00%
65100	DEFERRED RETIREMENT	87.00	212.43	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	352.70	1,762.95	5,184.00	65.99%
65300	WORKMEN'S COMP INSURANCE	0.00	430,44	0,00	0,00%
65600	PAYROLL TAX	84.14	298.84	0.00	0.00%
75300	CONTRACTED SERVICES	0,00	0.00	500,00	100.00%
78180	OTHER REPAIR & MAINTENENCE	0.00	0.00	500,00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0,00	0.00	500.00	100.00%
	Total Expense	1,537.10	6,400.37	16,462.00	61.12%
	Net Income	32.90	(5,720.37)	(4,462.00)	28,20%





# SUPPORTING DOCUMENTATION FOLLOWS WITH: 11 PAGES

1. <u>Discussion/Decision regarding contract documents related to Gateway Project.</u>

#### DISCUSSION/ACTION AGENDA

Date: January 11, 2012

Item: Contract Documents related to the Gateway Project

#### Background:

At the meeting in December 2012, the Council authorized staff to proceed to construction of the Gateway Project that has been under planning and design consideration for several years.

Over the last several months, Winzler & Kelly assisted the City of Trinidad in securing an additional \$77,850 of High Risk Rural Road (HR3) grant funds (dollar amount includes a required 10% local match) to supplement the HR3, TE and local funds previously programmed for the project, bringing the new overall project budget to \$613,100. This overall budget is summarized below:

	TE Funding	HR3 Funding	Local Match	Total Funding
Preliminary Engineering		\$106,290	\$11,810	\$118,100
Construction Engineering		\$63,000	\$7,000	\$70,000
Construction Capital	\$120,000	\$274,500	\$30,500	\$425,000
Total	\$120,000	\$443,790	\$49,310	\$613,100

The goals of the additional HR3 funds are to:

- 1. Reimburse the City for the additional environmental work that was required by Caltrans for the project;
- 2. Cover the additional work needed and completed by Winzler & Kelly and provide additional funds to cover additional needed engineering and project programming related services; and
- 3. Expand the construction engineering services that were to be provided for the project so the City can provide appropriate construction oversight in accordance with the current Action Plan developed in cooperation with Caltrans. The additional funds will help ensure the City has adequate resources to administer the project and comply with applicable Federal laws, regulations and policies.

Winzler & Kelly has presented two contract documents related to this project to accomplish the above goals:

Amendment No. 2: This contract amendment removes the construction management services from their original scope of work (-\$35,000) and adds the additional engineering related services (\$+40,000) for a net increase in project budget of \$5,000. The intent of this amendment is to cover Winzler & Kelly for previous unbilled effort, and add budget to cover the effort necessary to finalize the design and move the project into the construction phase (which is basically anything prior to the project receiving the construction authorization from Caltrans).

Agreement for Construction Engineering Services: This is a new contract agreement for the construction engineering phase of work with an allowance of \$70,000 (to be provided on a time and materials, as-needed basis). This is broken out as a separate project to be able to provide the services on a time and materials basis. The services provided under this contract replace and expand the ones provided under the previous agreement (which Amendment No. 2 above will remove). These expanded services are intended to better assist the City with complying with Federal funding requirements and the City's Action Plan which Caltrans is requiring in light of deficiencies in the museum landscaping project that led to funding denial.

The overall project budget for programming/engineering/design/construction related services would be:

Original agreement	\$ 77,500
Amendment No. 1	35,600
Amendment No. 2	5,000
Construction Engineering	70,000
Total	\$ 188,100

The services provided by Winzler & Kelly correspond to the approved HR3 grant and project budget amounts presented in the table on the first page.

The total local share for this project is \$49,310, of which, the City has already contributed \$4,250, leaving \$45,060 to be funded through the Proposition 1B allocation that must be expended by June 30, 2012.

#### Proposed Action:

Authorize the City Manager to sign Amendment No.2 for \$5,000 and the Agreement for Construction Engineering Services for an allowance of \$70,000.

Attachment: Amendment No. 2

Agreement for Construction Engineering Services



#### AMENDMENT TO

#### AGREEMENT BETWEEN CLIENT AND CONSULTANT

Amendment No. 2 to Agreement dated <u>February 2, 2008</u> and Prime Agreement dated <u>August 5, 2004</u> between Winzler & Kelly Consulting Engineers (Consultant) and City of Trinidad (Client).

Project: City of Trinidad - Main and Trinity HR3 / Gateway Project.

Client hereby requests and authorizes Consultant to perform additional and/or revised services as set forth in this Amendment.

Scope of services as set forth below:

<u>Task 1 - Remove services associated with Task 3: Construction Management and Observation, from Agreement dated February 2, 2008.</u>

Task 2 - Add the following additional engineering services provided or to be provided by Winzler & Kelly in support of the project.

- General coordination with the City and Caltrans related to the project.
- Preparation of City's Quality Assurance Manual (QAP), which is required for federally funded projects.
- Preparation of the Caltrans Encroachment Permit application, coordination and meetings with Caltrans, and design revisions required by Caltrans in order to obtain the encroachment permit.
- Assist the City with preparation of Permits to Enter and Construct and Temporary Construction Permits.
- Coordination and preparation of Right-of-Way Certification for project.
- Coordination with PG&E and AT&T for relocation of facilities.
- Participation in Gateway Committee meetings (in addition to the two meetings included in the original contract agreement).
- Coordination with City and PG&E for replacement of street lights on Main and Trinity Street that are to be completed prior to HR3 project.
- Presentation to Trinidad City Council.
- Coordination with Caltrans and City on process to incorporate artistic enhancements into the project.
- Project programming related to securing additional \$120,000 of TE funds and \$77,850 of HR3 funds for project.
- Revision of design documents to include new decorative street light at intersection of Main Street and Scenic Drive.
- Preparation of Construction Allocation and Construction Authorization request for TE Funds.

Terms of compensation as set forth below:

Winzler & Kelly will complete the above scope of services for a lump sum fee of \$5,000. The budget is broken down as follows:

Task 1: Remove Task 3 from 2/2/08 Agreement (\$35,000)Task 2: Additional Engineering Services \$40,000 Total Budget Increase: \$ 5,000 Charges based on percent of completion will be invoiced monthly and due within 30 days. A charge at the maximum legal rate of interest will be assessed on past due accounts. All provisions specified in the original Agreement dated February 2, 2008 and to Prime Agreement dated August 5, 2004 are in effect. No other agreements, guarantees, or warranties are in effect. IN WITNESS WHEREOF, the parties hereby execute this amendment upon the terms and conditions stated above. Client City of Trinidad Consultant Winzler & Kelly Print Name Karen Suiker Print Name Steve Allen Title Trinidad City Manager Title Managing Principal Original Agreement \$ 77,500 Amendment No. 1 \$ 35,600 Amendment No. 2 \$ 5,000 TOTAL \$118,100



# Agreement Between City of Trinidad and Winzler & Kelly

# CONSTRUCTION ENGINEERING FOR THE MAIN AND TRINITY HR3 PROJECT

**JANUARY 4, 2012** 

#### INTRODUCTION

This scope of services relates to a prime agreement between the City of Trinidad and Winzler & Kelly Consulting Engineers dated August 5<sup>th</sup>, 2004. All provisions of the prime agreement apply to this scope of services unless otherwise stated in this scope of services.

Winzler & Kelly assisted the City of Trinidad in securing an additional \$77,850 of High Risk Rural Road (HR3) grant funds (dollar amount includes a required10% local match) to supplement the HR3, TE and local funds already programmed for the project. A portion of this additional funding was intended to be used by the City to provide construction management/inspection services beyond what was originally contracted in the February 8, 2008 agreement with Winzler & Kelly.

Winzler & Kelly was originally contracted to provide only limited bid period services and construction observation and management. This expanded scope of services is being provided to better assist the City with administering the project and complying with Federal laws, regulations and policies. The services described below also provide additional construction oversight in accordance with the Action Plan developed by the City in cooperation with Caltrans.

#### SCOPE OF SERVICES

The scope of services is limited to the following tasks:

#### Task 1: Construction Engineering (CE)

#### **Bid Period Services**

Winzler & Kelly will provide bid period services based on the following items:

- Print and distribute plans and specifications to contractors at cost (copies at no cost to Builder's exchange and the City)
- Answer contractor questions via telephone (8 hours assumed)
- Issue Addenda during bidding (8 hours assumed)
- Organize and conduct a prebid conference (8 hours assumed)
- Prepare a memorandum summarizing the prebid conference and addressing questions from the conference for the City to distribute (2 hours assumed)
- Review contractor bids (2 hour assumed)
- Work with the selected contractor on obtaining and verifying bonds and insurance (2 hours assumed)



Main and Trinity HR3 Project Scope of Services January 4, 2012 Page 2 of 7

- Work with the City on preparing the contract documents for counsel approval (2 hours assumed)
  - o Notice of Award
  - Contract
  - o Notice to Proceed

#### Pre-Construction Review of Contractor Documents

- Review contractor's initial construction schedule for adherence to project requirements and ease of monitoring progress.
- Review contractor's preliminary traffic control plan and forward to Caltrans Encroachment Department for review.
- Review public noticing requirements and schedule with contractor.
- Review cost of lump sum breakdown provided by contractor

#### **Pre-Construction Meeting**

- Prepare for and conduct pre-construction meeting.
- Prepare and distribute the agenda, compile meeting minutes and a task list, and distribute to the project team.
- Summarize work and expectations of City at pre-construction meeting including: contract requirements and coordination required for the completion of the work, roles and responsibilities, schedule of work, submittals, work hours, notifications, safety, coordination with utilities, materials testing, labor compliance, equal employment opportunity and disadvantaged business enterprise requirements.

#### Caltrans Award Requirements

Winzler & Kelly will prepare the following Caltrans documents and submit to the District Local Assistance Engineer (DLAE).

- Good Faith Effort (GFE) Analysis Request (via fax) to low three bidders
- If the Underutilized Disadvantaged Business Enterprise (UDBE) contract goal is not met, Winzler & Kelly will perform a good faith effort analysis based on Caltrans standards to determine if the contractor demonstrated a good faith effort to utilize UDBEs in the bid. If it is determined that the apparent low bidder did not demonstrate a good faith effort, the next lowest bidder's UDBE and good faith effort will be analyzed. It is assumed that no more than three UDBE/GFE analyses will be performed.
- Total amounts bid by contractor by bid schedule line -item breakdown
- Non-collusion Affidavit
- Local Agency Bid Opening Checklist (Exhibit 15-I)
- Bid Tabulation Summary Sheet (Exhibit 15-D)
- Letter of "Submission of Bid Tabulation" (Exhibit 15-E)
- Bid Price Data (FHWA Form-45)
- Bid Analysis



Main and Trinity HR3 Project Scope of Services January 4, 2012 Page 3 of 7

• Award Package (complete and submit within 60 days of award and with the first invoice to Caltrans)

#### Construction Management

Winzler & Kelly's Resident Engineer will coordinate communication between the Contractor, City of Trinidad, Caltrans, utility companies and other parties throughout the course of the project. Many of the items listed below will involve the input and feedback of the City and others.

- Complete Resident Engineer's Daily Report and Coordinate Inspection Materials Testing and contract administration requirements throughout the course of the project
- Record working days, non- working days and whether related days and issue weekly statement of working days
- Review Contractor monthly payment requests, review differences in payment quantities with contractor, and prepare and submit recommendation of payment requests to City.
- Maintain project records and files as needed for general compliance with Local Assistance Procedures Manual (LAPM) Chapter 16 requirements.
- Attend project meetings and prepare agenda, attend, and document meeting minutes.
- Coordinate and manage Submittal and Shop Drawing reviews and maintain tracking logs.
- At the request of the City, participate in preparation of public information bulletins and updates during construction (web site, emails, etc.).
- Review and respond to contractor submittals, based upon the plans and specifications.
- Monitor the Contractor's construction schedule and progress for adherence to project schedule, coordinate with the Contractor on planned activities, notify Contractor and City of any schedule issues identified, review schedule revisions and negotiate time extensions if necessary.
- Request For Information (RFI) & Contract Change Orders (CCO)
  - Manage Contractor correspondence including RFIs, Potential Change Orders (PCOs) and CCOs include technical / engineering assistance and review, maintain logs, prepare and transmit responses and coordinate with other parties to develop responses.
- Submit copy of CCO memorandum and CCOs to Caltrans (when required).
- Attend on-site meetings to address construction issues, prepare agenda and meeting minutes.
- Prepare up to two Caltrans Reimbursement Requests. Reimbursement requests will include:
  - o Bid Summary/Cost to Date form
  - o Signed Progress Pay on Contractor's letterhead
  - o Contractor Contract
  - o Notice in Paper of Project Advertisement
  - o Attend on-site meetings to address construction issues

#### Construction Staking

Winzler & Kelly will provide construction staking services for the project. Staking will include placing horizontal control of site improvements for use by the contractor. It is assumed that Winzler & Kelly will provide one initial set of stakes and the Contractor will have one opportunity to request



Main and Trinity HR3 Project Scope of Services January 4, 2012 Page 4 of 7

additional staking and/or resetting of disturbed staking. Any additional staking services will be the contractor's responsibility.

#### **Labor Compliance Monitoring**

Winzler & Kelly will provide the following labor compliance monitoring and documentation:

- Assist as necessary in compiling labor standards documentation for the Bid Package including Davis Bacon wage determinations.
- Prepare labor standards documents and check that they are appropriately filled out, signed, submitted and filed in appropriate binder or docket.
- Review the general and subcontractor's licenses to check that they are appropriately CA licensed and not debarred, through the California Contractors State License Board web site.
- Review general and subcontractor certified payrolls for correctness and completeness, focusing primarily on assuring that all workers are receiving the appropriate prevailing wage.
- Perform on-site interviews of trade persons to review job classifications and wages paid.
- Maintain an organized file of documents required by funding source and federal/state regulations. These include documentation of bid process, contracts, payrolls, wage determinations, and interview logs.

#### On-site Observation

- Provide regular on-site construction observation to review Contractor general conformance with the project plans and specifications.
- Prepare daily observation reports including digital photo logs of progress.
- Check for general compliance with Water Pollution Control plan.
- Maintain a set of red line plans depicting changes noted by the construction observer..
- Collect and maintain material tags and testing tags/reports for compliance with City of Trinidad's Quality Assurance Plan and Caltrans LAPM guidelines.
- Review traffic control and Contractor daily activities.
- Review Contractor's erosion and sediment control BMPs.

#### Materials Acceptance Testing and Reporting

- Perform materials testing and reporting as-needed to support the City of Trinidad's Quality Assurance Program.
- Collect and maintain material tags and testing tags/reports as in support of City of Trinidad's Quality Assurance Plan and Caltrans LAPM guidelines.
- Review Certificates of Compliance.
- Request and Review "Buy America" Certificates of Compliance for all steel proposed to be incorporated into the project.
- Reject or Recommend deductions for materials not meeting the project requirements.



Main and Trinity HR3 Project Scope of Services January 4, 2012 Page 5 of 7

#### Final Documentation

- Prepare final project closeout documents in accordance with LAPM guidelines based on the following:
  - o Final project summary letter
  - o Project photo log in CD format
  - o Submittals
  - Inspection and observation reports
  - Materials testing and inspection records and final reports in support of City of Trinidad's Quality Assurance Plan and Caltrans LAPM guidelines
  - Labor compliance documentation, contractor prevailing wage reports and labor compliance interview records
  - o Meeting records
- Submit to the Caltrans DLAE:
  - o Cover Letter and report of Expenditures Checklist (Exhibit 17-A)
  - Local Agency Final Inspection Form (Exhibit 17-C)
  - o Final Invoice (Exhibit 17-D)
  - o Final Detail Estimate
  - o Change Order Summary (Exhibit 17-E)
  - Final Report, Utilization of DBE and Woman-Owned Business Enterprise (Exhibit 17-F)
  - o DBE Certification Status Change (Exhibit 17-O)
  - o Materials Certificate (Exhibit 17-G)

#### Notice of Completion and Record Drawings

- Prepare Notice of Completion and other documents for approval by City and submit to County for Recording once signed by the City Manager.
- Prepare and transmit Record Drawings to City, incorporating any noted changes, change orders or other changes deemed necessary by the Resident Engineer. (1) 22" x 34" hard copy and one (1) electronic CD containing PDFs of the Record Drawings.

#### Prepare for and Attend Audit Meetings with FHWA/Caltrans

Federally funded projects are routinely audited to assure those projects are being administered properly and consistent with federal requirements. Therefore, Winzler & Kelly is available to assist the City during an audit to present project files and documentation and to answer auditor questions. Should an audit be required, Winzler & Kelly will complete the following tasks

- Prepare and provide copies of documentation requested in advance of an audit and work with the City to prepare for the audit.
- Participate during a single audit to present information and answer questions regarding the audit.
- Provide written responses or additional information following the audit review.



Main and Trinity HR3 Project Scope of Services January 4, 2012 Page 6 of 7

#### GENERAL ASSUMPTIONS/EXCLUSIONS

This scope of services is based on the tasks described above which are anticipated for the project. The City may need additional services during the process of the project due to increased regulatory issues, unusual resident interest, project redesign or rebidding, or the characteristics of the contractor.

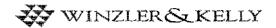
This proposal is based on the following assumptions:

- Project redesign is not included in this scope of services.
- Project rebidding is not included in this scope of services.
- Start of construction on or around May 1, 2012 with approximately seven weeks (35 working days) of construction and completion by early July, 2012.
- The Contractor is responsible for site safety.
- The City will be actively involved in the administration of the construction contract and will participate in key decisions.
- Caltrans Local Assistance will provide oversight throughout the implementation of the project for conformance with State and Federal funding and construction requirements
- The City will provide utility locations and assist with the coordination any utility shut downs if needed.
- Additional construction inspection or management necessitated by site conditions discovered during construction, or contractor's actions is not included in this scope of services.
- Independent Assurant Sampling and Testing (verification of materials testing laboratory and staff) is not required as all materials are anticipated to be accepted based on a certificate of compliance.
- Additional services not identified in this scope can be provided with a scope and budget amendment.

#### **COMPENSATION**

Winzler & Kelly will complete the above scope of services on a time and materials basis as budget allows, in accordance with our current fee schedule, for the total estimated fee of \$70,000. The amount of effort required for construction engineering will depend on the contractor and their means and methods, the actual site conditions, services provided by the City, involvement and requests by agencies, requests by the City and other factors. We will work with the City to provide the services requested and communicate where the budget stands as we move through the construction process. It is possible that our estimated effort may not be adequate to complete all of the tasks depending on the factor listed above. We will not exceed the contract amount without prior written authorization from the City.

Invoices will be prepared monthly and are due and payable within 30 days of the date of the invoice. Finance charges of 1-1/2% per month will be applied to all outstanding balances.



Main and Trinity HR3 Project Scope of Services January 4, 2012 Page 7 of 7

**AGREED** 

Karen Suiker Date
Trinidad City Manager

City of Trinidad Accounting Tracking Number

Steve Allen

Winzler & Kelly

# **AGENDA ITEM 2**



# SUPPORTING DOCUMENTATION FOLLOWS WITH: 5 PAGES

.2. Consider Installation of Communication Facilities on Town Hall.

#### DISCUSSION/ACTION AGENDA

Date: January 11, 2012

Item: Consider Installation of Communication Facilities on Town Hall

#### Background:

T-Mobile has inquired about the possibility of installing one of its micro communication facilities in the City of Trinidad for servicing the area. Their preference would be to utilize the Town Hall structure to do so. This would entail leasing a 4' x 10' ground space directly behind the building to install an H-Frame to house their equipment. The lease area would be surrounded by a 6' high chain link fence with slats matching the building. The 2' long antennas would be mounted approximately 5' above the roof at their tip. To stealth their appearance, a fake chimney is proposed, which would presumably give a natural aesthetic appearance making the facility less noticeable. However, none of the project elements are yet set in stone, and can be modified through the review and approval process.

T-Mobile advises that radio frequency emissions at a facility such as this would be minimal, less than 5% allowed by the FCC based on other micro facilities in use.

This project would require design review by the Planning Commission as well as a Coastal Development Permit, with impacts to the historic character of Town Hall taken into consideration. CEQA may also apply, and T-Mobile will be responsible for all costs associated with processing an application. Because of the aesthetic and/or radio wave issues, this matter is being presented to Council in its early stage to allow for comments from the public and Council members. In addition, as the property owner, the City must authorize the application to be submitted. The result of this meeting will determine whether T-Mobile will incur additional expense to move this project through the permitting process. Note that City Council authorization for T-Mobile to submit an application in no way endorses the application or approves the project. If the project is approved by the Planning Commission (and is not appealed), a lease will still have to be negotiated between the City Council and T-Mobile to construct the project.

Mr. David Miller, T-Mobile Site Acquisition Manager, will present a brief proposed project overview and respond to any Council questions.

#### **Proposed Action:**

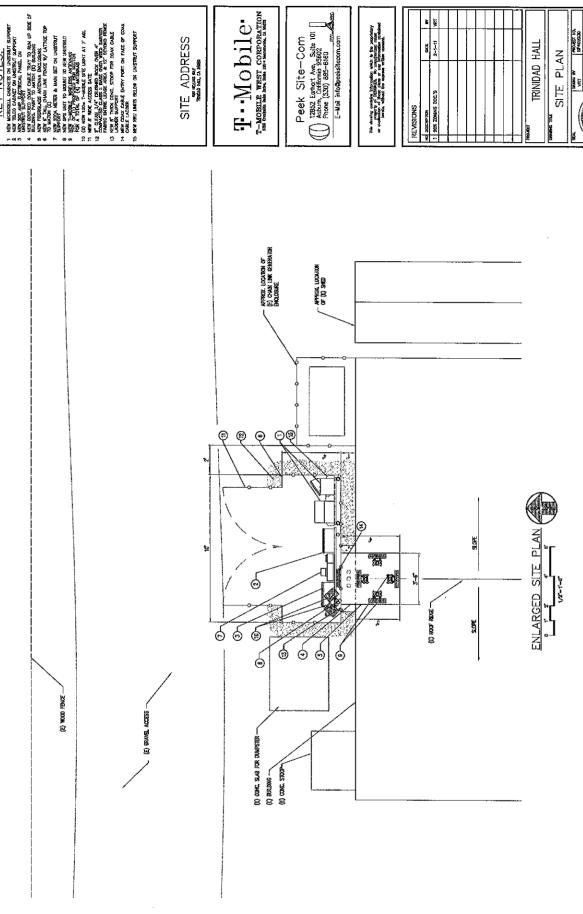
Consider authorizing the City Manager to sign a design review application, as the property owner, in order for this project to be considered by the Planning Commission.

Attachment: Preliminary project plans

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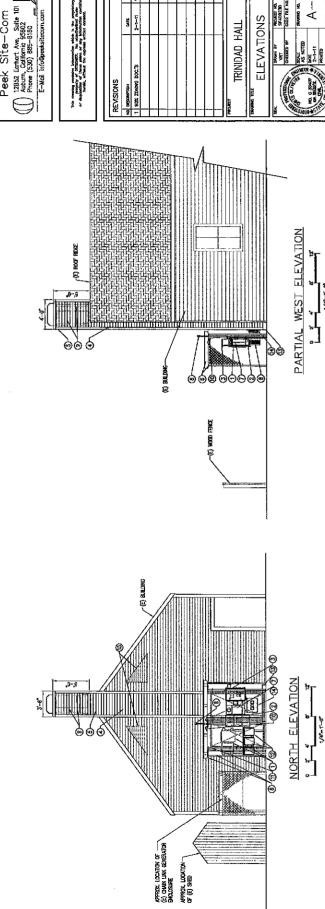
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